

Appl. No. 10/707,261  
Amtd. dated November 19, 2004  
Reply to Office action of October 19, 2004

REMARKS/ARGUMENTS

Claims 8 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu (US 6,552,382). Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chane 5 et al. (US 6,368,912) in view of Wu (US 6,552,382) and Manley (US 6,222,735).

In order to more particularly point out and distinctly claim that which applicant regards as his invention, the independent claims 1 and 8 have been amended based on the originally filed specification and figures 6-14. No new matter is introduced. Reconsideration of the amended claims 1 and 8 are politely requested.

10 In particular, claims 1 and 8 are amended to emphasize that a "non-annular buried strap out diffusion" is formed. Applicant believes that none of the cited prior art documents teaches the limitation: "dopants of said third polysilicon layer diffuse out to the surrounding substrate that is not masked by said single-sided spacer to form a non-annular buried strap out diffusion" as required in the amended claims 1 and 8. As 15 claims 2-7 are dependent upon the once-amended claim 1, they should be allowable if claim 1 is allowed. As claims 9-10 are dependent upon the once-amended claim 8, they should be allowable if claim 8 is allowed. Reconsideration of claims 2-7 and 9-10 is therefore requested.

20 Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Appl. No. 10/707,261  
Amtd. dated November 19, 2004  
Reply to Office action of October 19, 2004

Sincerely yours,

5

*Winston Hsu*

Date: November 22, 2004

Winston Hsu, Patent Agent No. 41,526  
P.O. BOX 506, Merrifield, VA 22116, U.S.A.  
Voice Mail: 302-729-1562  
10 Facsimile: 806-498-6673  
e-mail : [winstonhsu@naipo.com](mailto:winstonhsu@naipo.com)  
(Please contact me by voice mail if you need a telephone communication.)